

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL DOCKET NO. 3:13-mc-15-MOC-DCK

**IN RE APPLICATION OF THE
GERMAN AMERICAN TRADE
ASSOCIATION FOR ORDER
PURSUANT TO 28 U.S.C. § 1782**

ORDER

THIS MATTER IS BEFORE THE COURT on Petitioner German American Trade Association's ("GATA") "Application For Discovery Pursuant To 28 U.S.C. § 1782" (Document No. 1), filed on January 15, 2013, seeking an Order permitting GATA to obtain discovery pursuant to 28 U.S.C. § 1782 from persons and entities located within this district for use in litigation before the Superior Regional Court of Hamburg in the Federal Republic of Germany in a case captioned German American Trade Association v. Heller, A; Index Number (Aktenzeichen) 308 O 395/12 ("the German Litigation"). This application has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b), and is ripe for review. Having carefully considered the application, the record, and, applicable authority, the undersigned will grant the Application.

IT IS, THEREFORE, ORDERED that GATA's "Application for Discovery Pursuant to 28 U.S.C. § 1782" (Document No. 1) is **GRANTED**.

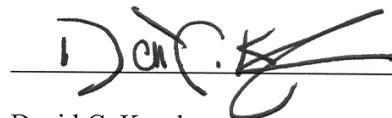
IT IS FURTHER ORDERED that (1) the Clerk of Court shall issue the proposed subpoenas attached to the Application (Document No. 1) which seek: (a) documents from, and a deposition of, Kurt G. Waldhausen ("Waldhausen"); (b) documents from, and a deposition of, Reinhard von Hennigs ("von Hennigs"); (c) documents from, and a deposition of, Eric Schmid ("Schmid"); (d) documents from the German American Business Association ("GABA"); (e)

documents from the BridgehouseLaw law firm (“BridgehouseLaw”); (f) documents from Waldthausen & Associates, Inc. (“Waldthausen Inc.”); and (g) documents from Elliott Davis LLC (“Elliott Davis”), and return the signed subpoenas to counsel for Petitioner GATA for service and actions consistent with the Federal Rules of Civil Procedure in accordance with 28 U.S.C. § 1782; and

(2) that GATA may engage a certified court reporter to serve as an officer of this Court pursuant to 28 U.S.C. § 1782 for the purpose of administering an oath and taking such testimony as requested in the subpoenas.

SO ORDERED.

Signed: February 6, 2013



David C. Keesler
United States Magistrate Judge
